OCT 1 9 2004



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PARTIES DEPAREMENT OF COMMERCE Office Status Parent and Tradumer's Office Address (COMMERCINER OF PATENTS AND TRADEMARK WASHINGEN, D.C. 3023)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,436	10/18/2001	Michael Putnam	FG16044P0041US	6583
1942 75	90 03/12/2003			
ROCKEY, MILNAMOW & KATZ, LTD. TWO PRUDENTIAL PLAZA, STE. 4700			EXAMINER	
180 NORTH ST	TETSON AVENUE		COLE, ELIZ	ABETH M
CHICAGO, TL	60601		ART UNIT	PAPER NUMBER
			1771	1
			DATE MAILED: 03/12/2003	4
			151/91	1/13/02

Please find below and/or attached an Office communication concerning this application or proceeding.

Application Summary Examine	PUTNAM Art Unit 1771 Cover sheet with the correspond EXPIRE MONTH(S) FROM however, may a reply be timely illed ry minimum of thiny (30) days will be considently to become ABANDONED (35 U.S.C. should allon to become ABANDONED (35 U.S.C. should allon, even if timely filed, may reduce a confinal. Or formal matters, prosecution by the 1935 C.D. 11, 453 O.G. 21	dence address dence address dence timely. the of this communication § 133).
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1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	ation has been received.	per No(s)

- 1. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 12, it is not clear what is meant by a "web which bonded no more than a minimum tensile strength". Should this read "bonded to have no more ..." Appropriate correction is required.
- 2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over JP 10-140,458 to Yoshimura et al, (machine translation of the claims and detailed description provided, as well as corresponding U.S. Patent No. 6,080,466).

Yoshimura et al discloses a web of spunbond continuous filament fibers which are hydroentangled. The fibers may have a denier of 0.5-5, and a basis weight of 5-30 gsm. See paragraph 0012 of the detailed description. The fibers may be polyester fibers. See paragraph 0013. Yoshimura does not disclose the tensile strength of the web in the cross-direction. However, since Yoshimura teaches that same materials which is made by the same process, presumably the Yoshimura web nonwoven would inherently possess the claimed tensile strength, or in the alternative, it would have been obvious to have optimized the entanglement

parameters such as water pressure, number of water jets, line speed etc., in order to control the degree of entanglement and thus the strength of the nonwoven. See paragraph 0015. The degree of entanglement of a hydroentangled fabric is recognized as being related to the strength of the fabric and there is recognized in the art as a result effective variable.

- 5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshimura et al in view of Homonoff et al, U.S. Patent No. 5,151,320. Yoshimura et al discloses a hydroentangled spunbonded nonwoven fabric as set forth above. Yoshimura et al differs from the claimed invention because Yoshimura et al does not teach minimally prebonding the spunbonded fabric. Homonoff et al teaches that spunbonded webs which are to be hydroentangled may be lightly prebonded. See col. 3, lines 45-57. Prebonding is performed in the art in order to give the fabric sufficient integrity to be handled. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have prebonded the web of Yoshimura et al before it is hydroentangled. One of ordinary skill in the art would have been motivated to prebond the Yoshimura et al web in order to enable the web to be more easily handled as taught by Homonoff et al.
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth M. Colc whose telephone number is (703) 308-0037. The examiner may be reached between 6:30 AM and 5:00 PM Monday through Thursday.

Mr. Terrel Morris, the examiner's supervisor, may be reached at (703) 308-2414.

Inquiries of a general nature may be directed to the Group Receptionist whose telephone number is (703) 308-0661.

The fax number for official faxes is (703) 872-9310. The fax number for official after final faxes is (703) 872-9311. The fax number for unofficial faxes is (703) 305-5436.

Elizabeth M. Cole Primary Examiner Art Unit 1771

e.m.c March 6, 2003